

[CHAPTER 328]

AN ACT

Relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes.

May 21, 1948

[H. R. 3350]

[Public Law 544]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the first section of the Act entitled "An Act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States", approved June 7, 1897, as amended (U. S. C., 1940 edition, title 33, sec. 154), as reads "That the following regulations for preventing collision shall be followed by all vessels navigating all harbors, rivers, and inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal and the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, and are hereby declared special rules duly made by local authority:" is amended to read as follows: "That the following regulations for preventing collisions shall be followed by all vessels upon the harbors, rivers, and other inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal, and the waters of the Mississippi River between its source and the Huey P. Long Bridge and all of its tributaries emptying thereinto and their tributaries, and that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway, and the waters of the Mobile River above Choctaw Point and all of its tributaries, and the Red River of the North; and are hereby declared special rules duly made by local authority:".

Navigation on inland waters, etc.

30 Stat. 96.
Prevention of collisions.

SEC. 2. Article 3 in the first section of such Act approved June 7, 1897, as amended (U. S. C., 1940 edition, title 33, sec. 173), is amended to read as follows:

30 Stat. 97.

"ART. 3. A steam vessel when towing another vessel or vessels alongside or by pushing ahead shall, in addition to her side lights, carry two bright white lights in a vertical line, one over the other, not less than three feet apart, and when towing one or more vessels astern, regardless of the length of the tow, shall carry an additional bright white light three feet above or below such lights. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in article 2 (a) of this chapter or the after range light mentioned in article 2 (f) of this chapter.

Lights on vessel towing another.

30 Stat. 96, 97.
33 U. S. C. § 172(a), (f).

"Such steam vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam."

Light abaft.

SEC. 3. Sections 2, 3, and 4 of such Act of June 7, 1897, as amended (U. S. C., 1940 edition, title 33, sections 157, 158 and 159), are amended to read as follows:

30 Stat. 102.

"SEC. 2. (a) That the Commandant of the United States Coast Guard shall establish such rules to be observed on the waters mentioned in the preceding section by steam vessels in passing each other and as to the lights to be carried on such waters by ferryboats and by vessels and craft of all types when in tow of steam vessels, or operating by hand power or horsepower or drifting with the current, and any other vessels not otherwise provided for, not inconsistent with the provisions of this Act, as he from time to time may deem necessary for safety, which rules are hereby declared special rules duly made by local authority, as provided for in article thirty of chapter eight hundred and two of the laws of eighteen hundred and ninety. Two printed copies of such rules shall be furnished to all vessels and craft

Special rules.

26 Stat. 328.
33 U. S. C. § 121.
Copies of rules.

mentioned in this subsection, which rules shall, where practicable, be kept posted up in conspicuous places thereon.

Publication.

"(b) Except in an emergency, before any rules or any alteration, amendment, or repeal thereof, are established by the Commandant of the United States Coast Guard under the provisions of this section, the said Commandant shall publish such rules, alterations, amendments, and repeals, and public hearings shall be held with respect thereto before the Coast Guard Merchant Marine Council on such notice as the Commandant deems reasonable under the circumstances.

Penalty for pilots,
etc.
Infra.

"SEC. 3. That every pilot, engineer, mate, or master of any steam vessel, as defined in rule numbered 1, and every master or mate of any barge or canal boat, who neglects or refuses to observe the provisions of this Act, or the regulations established in pursuance of the preceding section shall be liable to a penalty of one hundred dollars, and for all damages sustained by any passenger in his person or baggage by such neglect or refusal: *Provided*, That nothing herein shall relieve any vessel, owner, or corporation from any liability incurred by reason of such neglect or refusal.

Penalty for vessels.

"SEC. 4. That every vessel that shall be navigated without complying with the provisions of this Act shall be liable to a penalty of two hundred dollars, one-half to go to the informer, for which sum the vessel so navigated shall be liable and may be seized and proceeded against by action in any district court of the United States having jurisdiction of the offense."

SEC. 4. Section 4233 of the Revised Statutes of the United States, as amended (U. S. C., 1940 edition, title 33, sec. 301 and the following) is amended to read as follows:

Navigation rules for
Mississippi River, etc.

"SEC. 4233. The following regulations for preventing collisions shall be followed by all vessels upon the waters of the Mississippi River between its source and the Huey P. Long Bridge and all of the tributaries emptying thereinto and their tributaries, and that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway, and the waters of the Mobile River above Choctaw point and all of its tributaries, and the Red River of the North; and are hereby declared special rules duly made by local authority:

"I—PRELIMINARY DEFINITIONS

"RULE NUMBERED 1. In the following rules every steam vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a steam vessel.

"Steam vessel."

"The words 'steam vessel' shall include any vessel propelled by machinery.

"Under way."

"A vessel is 'under way' within the meaning of these rules when she is not at anchor, or made fast to the shore, or aground.

"Visible."

"The word 'visible' in these rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

"Distinct blast."

"The words 'distinct blast' in these rules, when applied to whistle signals shall mean a clearly audible blast of any length.

"II—LIGHTS, AND SO FORTH

"RULE NUMBERED 2. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights, or impair their visibility, shall be exhibited.

Lights on vessel
towing another.

"RULE NUMBERED 3. A steam vessel when towing another vessel or vessels alongside or by pushing ahead shall carry—

"(a) On the starboard side a green light so constructed and fixed as to show the light from ahead and not more than half a

point on the port bow to two points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least three miles.

“(b) On the port side a red light so constructed and fixed as to show the light from ahead and not more than half a point on the starboard bow, to two points abaft the beam on the port side, and of such a character as to be visible at a distance of at least three miles.

“(c) The said green and red side lights shall be fitted with inboard screens painted black and projecting at least three feet forward from the light, so as to prevent these lights from being seen more than half a point across the bow.

“(d) At or near the stern, where they can best be seen, two red lights in a vertical line, one over the other, not less than three feet apart, of such a character as to be visible from aft for a distance of at least two miles, and so screened as not to be visible forward of the beam.

“**RULE NUMBERED 4.** A steam vessel when towing another vessel or vessels on a hawser astern shall carry, in addition to the side lights described in rule 3 (a), (b), and (c) and at a greater height than those lights, in the forward half of the vessel, two bright white lights in a vertical line, one over the other, at least three feet apart. Each of these lights shall be so constructed as to show an unbroken light over an arc of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side and of such a character as to be visible at a distance of at least three miles.

“**RULE NUMBERED 5.** A seagoing steam vessel underway shall carry lights as required by article 2, International Rules, as amended.

“**RULE NUMBERED 6.** A river steamer, by which is meant a river-type steam vessel with two smokestacks in an athwartship line, may carry, in lieu of the lights prescribed by rule 7 (a), the following lights, namely: One red light on the outboard side of the port smokestack and one green light on the outboard side of the starboard smokestack. Such lights shall show forward, aft, and abeam on their respective sides.

“**RULE NUMBERED 7.** (a) A steam vessel underway, except as otherwise provided in these rules, shall carry, in addition to side lights as described in rule 3 (a), (b), and (c), a central range of two white lights, the after light being carried at an elevation higher than the light at the head of the vessel. The headlight shall be so constructed as to show an unbroken light through twenty points of the compass, namely, from right ahead to two points abaft the beam on either side of the vessel, and the after light so as to show all around the horizon.

“(b) The lights for barges, canal boats, scows, and other vessels of nondescript type, when in tow of steam vessels, and for ferryboats, shall be as prescribed by the Commandant, United States Coast Guard.

“**RULE NUMBERED 8.** A sailing vessel under way, and any vessel being towed except barges, canal boats, scows, and other vessels of nondescript type when in tow of steam vessels, shall carry screened side lights as prescribed by rule 3, sections (a), (b), and (c), for a steam vessel, and a stern light as prescribed by rule 10.

“**RULE NUMBERED 9.** Whenever, as in the case of small vessels during bad weather, the green and red lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for instant exhibition, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side. To make the use of these portable

Additional lights
when towing.

Vessel underway.

26 Stat. 321.

33 U. S. C. § 72.

“River steamer.”

Infra.

Additional lights for
vessel underway.

Ante, p. 250.

Barges, etc., in tow;
ferryboats.

Sailing vessel under-
way; vessels in tow.

Ante, p. 250; *post*,
p. 252.

Portable lights.

lights more certain and easy, they shall each be painted outside with the color of the light they respectively contain, and shall be provided with suitable screens.

Vessel being overtaken.

"RULE NUMBERED 10. A vessel which is being overtaken by another, except a steam vessel which already has one or more running lights visible from aft, shall show from her stern to such overtaking vessel a white light or a flare-up light.

"The white light required to be shown by this article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of twelve points of the compass, namely, for six points from right aft on each side of the vessel, so as to be visible at a distance of at least two miles.

Sailing pilot vessels.

"RULE NUMBERED 11. (a) Sailing pilot vessels, when engaged on their station on pilotage duty, and not at anchor, shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all around the horizon, at a distance of at least three miles, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed ten minutes.

"On the near approach of or to other vessels they shall have their side lights lighted, ready for use, and shall flash or show them at short intervals to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

"A sailing pilot vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the side lights above mentioned, have at hand, ready for use, a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Steam pilot vessel.

"(b) A steam pilot vessel when engaged on her station on pilotage duty and not at anchor shall, in addition to the lights and flares required for sailing pilot vessels, carry, at a distance of eight feet below her white masthead lights, a red light, visible all around the horizon at a distance of at least three miles, and also the side lights required to be carried by vessels when under way.

All pilot vessels.

"(c) All pilot vessels, when engaged on their stations on pilotage duty and at anchor, shall carry the lights and show the flares prescribed above, except that the side lights shall not be shown.

"When not engaged on their stations on pilotage duty they shall carry the same lights as other vessels of their class and tonnage.

Motorboats.

54 Stat. 163.
46 U. S. C. §§ 526-526t.

"RULE NUMBERED 12. Motorboats, when not engaged in towing, shall be lighted as provided by the Motorboat Act of April 25, 1940, as amended. When towing, they shall be subject to the same provisions for lighting as other steam vessels towing.

Vessels under 150 feet in length, at anchor.

"RULE NUMBERED 13. (a) A vessel under one hundred and fifty feet in length, when at anchor, and not moored to the bank or wharf, shall carry forward, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least two miles: *Provided*, That the Secretary of the Army may, after investigation, by rule, regulation, or order, designate such areas as he may deem proper as 'special anchorage areas'; such special anchorage areas may from time to time be changed, or abolished, if after investigation the Secretary of the Army shall deem such change or abolition in the interest of navigation: *Provided further*, That vessels not more than sixty-five feet in length when at anchor in any such special anchorage area shall not be required to carry or exhibit the white light required by this article.

"Special anchorage areas."

Exception.

Vessels of 150 feet or upward, at anchor.

"(b) A vessel of one hundred and fifty feet or upward in length, when at anchor, and not moored to the bank or a wharf, shall carry

in the forward part of the vessel, where it can best be seen, one such light, and at or near the stern of the vessel, and at such a height that it shall not be less than fifteen feet lower than the forward light, another such light.

"RULE NUMBERED 14. The exhibition of any light on board of a vessel of war of the United States or a Coast Guard cutter may be suspended whenever, in the opinion of the Secretary of the Navy, the commander in chief of a squadron, or the commander of a vessel acting singly, the special character of the service may require it.

Vessel of war; Coast
Guard cutter.

"RULE NUMBERED 15. All signals prescribed by this article for vessels under way shall be given—

Signals.

"By 'steam vessels' on the whistle or siren.

"By sailing vessels and 'vessels towed' on the foghorn.

"A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction; also with an efficient bell. A sailing vessel of twenty gross tons or upward shall be provided with a similar bell.

"In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals described by this article shall be used as follows, namely:

"(a) A steam vessel under way and towing another vessel or vessels shall sound, at intervals of not more than one minute, three distinct blasts of the whistle, of approximately equal length.

"(b) A steam vessel under way without a tow shall sound, at intervals of not more than one minute, three blasts of the whistle, the first two blasts to be approximately of equal length, the last blast to be longer.

"(c) A steam vessel, with or without a tow, lying to, by which is meant holding her position near or against the bank by using her engines, or temporarily moored to the bank, when a fog signal or other sound is heard indicating the approach of another vessel, shall, if lying to on the right bank, give one tap of the bell to indicate her presence, and if lying to on the left bank, two taps of the bell, at intervals of not more than one minute, such signals to continue until the approaching steam vessel has passed. Right and left bank is understood as facing downstream or with the flow of the current.

"(d) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

"RULE NUMBERED 16. Every steam vessel shall, in fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, go at a moderate speed. A steam vessel hearing, apparently forward of her beam, the fog signal of another vessel shall at once reduce her speed to bare steerageway, and navigate with caution until the vessels shall have passed each other.

Speed in fog, etc.

"RULE NUMBERED 17. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, namely:

Sailing vessels ap-
proaching one another.

"(a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

"(b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

"(c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

"(d) When both are running free, with the wind on the same side, the vessel which is to the windward shall keep out of the way of the vessel which is to the leeward.

"(e) A vessel which has the wind aft shall keep out of the way of the other vessel.

"III—STEERING AND SAILING RULES**"PRELIMINARY—RISK OF COLLISION**

"Risk of collision can, when circumstances permit, be ascertained by carefully watching the bearing of an approaching vessel. If the bearing does not appreciably change such risk should be deemed to exist.

Vessels meeting end on.

"**RULE NUMBERED 18.** (a) When two steam vessels are meeting end on, or nearly end on, so as to involve risk of collision, except when one steam vessel is ascending and the other descending a river, it shall be the duty of each to pass on the port side of the other, and to alter course to starboard sufficiently so that this can be done in safety. This maneuver shall require an exchange of one-blast signals when the vessels are not less than one-half mile apart, and either vessel shall blow the first signal which the other shall promptly answer.

Ascending and descending vessels.

"(b) When an ascending steam vessel is approaching a descending steam vessel on a river, the signals for passing shall be one distinct blast of the whistle by each vessel if passing port to port, and two distinct blasts of the whistle if passing starboard to starboard.

"The pilot of the ascending steam vessel shall give the first signal for passing, which shall promptly be answered by the same signal by the pilot of the descending steam vessel, if safe to do so, and both shall be governed accordingly; but if the pilot of the descending steam vessel deems it dangerous to take the side indicated by the ascending steam vessel, he shall immediately signify that fact by sounding four or more short and rapid blasts, the danger signal, and it shall be the duty of the pilot of the ascending steam vessel to answer by a similar danger signal and the engines of both shall immediately be stopped and backed, if necessary, until signals for passing are given, answered, and understood. After sounding the danger signal by both vessels, the pilot of the descending steam vessel shall indicate by his whistle the side on which he desires to pass, and the pilot of the ascending steam vessel shall govern himself accordingly, the descending steam vessel being entitled to the right-of-way.

"The pilot of the descending steam vessel shall not blow the first signal, except that if the other vessel has not whistled when the steam vessels, or the forward end of their tows, if being pushed ahead, are within one-half mile of each other, he shall blow the first danger signal, which shall be promptly answered by a danger signal by the ascending vessel; but whether answered or not, the pilot of the descending vessel shall indicate the side on which he desires to pass, and both vessels shall be governed accordingly.

Vessels crossing.

"**RULE NUMBERED 19.** (a) When two steam vessels are crossing so as to involve risk of collision, other than when one vessel is overtaking another, the vessel which has the other to starboard shall keep out of the way of the other. Either vessel shall give, as a signal of intention to comply with this rule, one distinct blast of her whistle, which the other vessel shall answer with a similar blast: *Provided, however,* That a steam vessel descending a river and towing another vessel or vessels shall be deemed to have the right-of-way over any steam vessel crossing the river, and shall give as a signal of her intention to hold on across the bow of the other vessel, three distinct blasts of the whistle. The crossing vessel shall immediately reply with a similar signal, and shall keep clear by stopping or going under the stern of the descending vessel.

Descending vessel towing another.

Misunderstanding of signals.

"(b) If from any cause the conditions covered by these situations are such as to prevent immediate compliance with each other's signals, the misunderstanding or objection shall be at once made apparent by blowing four or more short and rapid blasts, the danger signal,

and both steam vessels shall be stopped and backed if necessary until signals for passing with safety in accordance with these rules are given, answered, and understood.

"RULE NUMBERED 20. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except when the sailing vessel is overtaking the steam vessel, the steam vessel shall keep out of the way of the sailing vessel.

Steam vessel and sailing vessel.

"RULE NUMBERED 21. Every steam vessel, when approaching another vessel so as to involve risk of collision, shall slacken her speed, or, if necessary, stop and reverse.

Approaching vessel.

"RULE NUMBERED 22. (a) Notwithstanding anything contained in these rules, every vessel, overtaking any other, shall keep out of the way of the overtaken vessel.

Overtaking vessel.

"Every vessel coming up with another vessel from any direction more than two points abaft her beam shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

"As the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

"(b) When one steam vessel is overtaking another steam vessel, so as to involve risk of collision, and the overtaking vessel shall desire to pass on the right or starboard side of the other vessel, she shall give, as a signal of such desire, one distinct blast of her whistle, and if the overtaken vessel answers with one blast, shall direct her course to starboard; or if the overtaking vessel shall desire to pass on the left or port side of the other vessel, she shall give as a signal of such desire, two distinct blasts of her whistle and if the overtaken vessel answers with two blasts, shall direct her course to port. However, if the overtaken vessel does not think it is safe for the overtaking vessel to attempt to pass at that time, she shall immediately so signify by giving several short and rapid blasts of her whistle, not less than four, and under no circumstances shall the overtaking vessel attempt to pass until such time as they have reached a point where it can be safely done, and the overtaken vessel shall have signified her willingness by blowing the proper signal, two blasts for the overtaking vessel to pass on the port side, one blast to pass on the starboard side, which signal shall be answered with a similar signal by the overtaking vessel before passing. After an agreement has been reached the overtaken vessel shall in no case attempt to cross the bow or crowd upon the course of the overtaking vessel.

"RULE NUMBERED 23. Where by rules 17, 19, 20, and 22 one of two vessels shall keep out of the way, the other shall keep her course, subject to the qualifications of rule 25.

Ante, pp. 253, 254; *supra*.

"RULE NUMBERED 24. (a) If, when steam vessels are approaching each other either vessel for any reason fails to understand, or regards as unsafe, the course or intention of the other, the vessel in doubt shall immediately so signify by giving several short and rapid blasts of her whistle, at least four, the danger signal.

Post, p. 256.

Danger signal to approaching vessel.

"(b) Whenever a steam vessel, whether ascending or descending, is nearing a bend in a channel where, from the height of the banks or other cause, a steam vessel approaching from the other direction cannot be seen for a distance of six hundred yards, such steam vessel, when within six hundred yards of such bend—or if she have a tow projecting ahead, then when the head of such tow is within six hundred yards of the bend—shall give a signal by three distinct blasts of her whistle, which signal shall be answered by a similar signal given by any

Vessel nearing bend in channel.

approaching steam vessel that may be within hearing around the bend. Should such signal be so answered by a steam vessel upon the farther side of such bend, then, immediately upon sighting each other, the usual signals for meeting and passing shall be given and answered. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

Vessel moved from dock, etc.

Infra.

"(c) When a steam vessel is moved from her dock, or anchorage, she shall give the same signal as in the case of a steam vessel nearing a bend, but she and any approaching vessel shall be governed by rules 25 and 26 until her course is apparent, and then both vessels shall be governed by the other steering and sailing rules.

Infra.
Departure from rules.

"(For additional whistle signals and other regulations established by the Commandant, United States Coast Guard, see Pilot Rules for Western Rivers as prescribed under section 4233A.)

"RULE NUMBERED 25. In obeying and construing these rules due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger. When such departure becomes necessary neither vessel shall have the right-of-way and both shall navigate with caution until danger of collision is over.

Negligence.

"RULE NUMBERED 26. Nothing in these rules shall exonerate any vessel, or the owner or master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

"RULE NUMBERED 27. All orders to helmsmen shall be given as follows:

"Right rudder."

"'Right rudder' to mean 'Direct the vessel's head to starboard'.

"Left rudder."

"'Left rudder' to mean 'Direct the vessel's head to port'.

Rules and regulations.

"SEC. 4233A. (a) The Commandant of the United States Coast Guard shall establish such rules to be observed on the waters mentioned in the preceding section by steam vessels in passing each other and as to the lights to be carried on such waters by ferryboats and by vessels and craft of all types when in tow of steam vessels, or operating by hand power or horsepower or drifting with the current, and any other vessels not otherwise provided for, not inconsistent with the provisions of this Act, as he from time to time may deem necessary for safety, which rules are hereby declared special rules duly made by local authority, as provided for in article thirty of chapter eight hundred and two of the laws of eighteen hundred and ninety. Two printed copies of such rules shall be furnished to all vessels and craft mentioned in this subsection, which rules shall, where practicable, be kept posted up in conspicuous places thereon.

26 Stat. 328.
33 U. S. C. § 131.

Publication.

"(b) Except in an emergency, before any rules or any alteration, amendment, or repeal thereof, are established by the Commandant of the United States Coast Guard under the provisions of this section, the said Commandant shall publish such rules, alterations, amendments, and repeals and public hearings shall be held with respect thereto before the Coast Guard Merchant Marine Council on such notice as the Commandant deems reasonable under the circumstances.

Penalty for pilots, etc.

"SEC. 4233B. Every licensed or unlicensed pilot, engineer, mate, or master of any steam vessel, and every master or mate of any barge, canal boat, scow, or other nondescript craft, who neglects or refuses to observe the provisions of section 4233, or the regulations established in pursuance of section 4233A, shall be liable to a penalty not exceeding \$500, and for all damages sustained by any passenger in his person or baggage by such neglect or refusal: *Provided*, That nothing herein shall relieve any vessel, owner, or corporation from any liability incurred by reason of such neglect or refusal.

Ante, p. 250.

Supra.

"SEC. 4233C. Every vessel that shall be navigated without complying with the provisions of section 4233, or the regulations established in pursuance of section 4233A, shall be liable to a penalty of \$500, one-half to go to the informer, for which sum the vessel so navigated shall be liable and may be seized and proceeded against by action in any district court of the United States having jurisdiction of the offense."

Penalty for vessel.
Ante, pp. 250, 256.

SEC. 5. Where any Navy or Coast Guard vessel of special construction, as certified to by the Secretary of the Navy, or the Secretary of the Treasury in the case of Coast Guard vessels operating under the Treasury Department, or such official or officials as either may designate, is now or may hereafter by virtue of statute, convention, or treaty, be exempt from compliance with any requirements of the International Rules of the Road, such type of vessel shall similarly be exempt from compliance with any corresponding requirement under the rules specified in this Act.

Exemption of certain vessels.
Ante, p. 69.

SEC. 6. This Act shall become effective on January 1, 1949.

Effective date.

Approved May 21, 1948.

[CHAPTER 329]

AN ACT

Authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, Louisiana, and by the opening of the Bonnet Carre Spillway, and for other purposes.

May 21, 1948
[H. R. 3505]
[Public Law 545]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated the sum of not to exceed \$50,000 to enable the Fish and Wildlife Service, Department of the Interior, to investigate and study the means and methods best adaptable to the rehabilitation, replanting and maintenance of the oyster beds in the States of Louisiana and Mississippi that have been or may be destroyed through the operation of the Bonnet Carre Spillway and through the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, Louisiana.

Oyster beds, La. and Miss. Appropriation authorized.

Approved May 21, 1948.

[CHAPTER 330]

AN ACT

Granting the consent of Congress to Carolina Power and Light Company to construct, maintain, and operate a dam in the Lumber River.

May 21, 1948
[H. R. 5543]
[Public Law 546]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to Carolina Power and Light Company, its successors or assigns, to construct, maintain, and operate a dam in, and modify the channel of, the Lumber River, at a point suitable to the interests of navigation, approximately three and one-half miles south of Lumberton, North Carolina, and approximately one and one-half miles below the United States Highway Numbered 74 bridge in Robeson County, North Carolina: *Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of the Army, and a permit for the construction be issued by them: *Provided further*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

Lumber River. Construction, etc., of dam.

Approval of plans.

Restriction.